

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RED BLACK TREE D.O.O.,

Plaintiff,

- against -

HOTEL CREDITS, INC., ET AL.,

Defendants.

22-cv-7834 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The plaintiff has agreed to dismiss the defendants Caitlin Zaino von During, Leland Kwee, and Moon YoonWhe without prejudice because their presence destroys the complete diversity of citizenship between the parties pursuant to 28 U.S.C. § 1332. See ECF No. 119.

Therefore, the defendants Caitlin Zaino von During, Leland Kwee, and Moon YoonWhe are **dismissed without prejudice**. Accordingly, the defendant Zaino von During's counterclaim is **dismissed without prejudice** and her motion to dismiss is **dismissed as moot**.

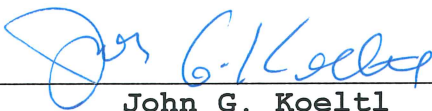
The defendant Deepak Shrivastava may move for summary judgment by **December 20, 2024**. The plaintiff may respond by **January 17, 2025**. The defendant may reply by **January 31, 2024**.

The Clerk is directed to: (1) mail a copy of this Order and its enclosure to Caitlin Zaino von During at: Via Paolo Emilio 32, 00192 Rome, Italy; and (2) to send a copy of the same by email to caitlinzaino@gmail.com.

The Clerk is also directed to close ECF Nos. 104 & 109.

SO ORDERED.

Dated: New York, New York
November 21, 2024



John G. Koeltl
United States District Judge